

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1352

To amend the Federal Insecticide, Fungicide, and Rodenticide Act with respect to the minor use of a pesticide.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 1995

Mr. DE LA GARZA (for himself, Mr. ROBERTS, Mr. EMERSON, Mr. CONDIT, Mr. STENHOLM, Mr. BOEHNER, Mrs. THURMAN, Mr. CANADY of Florida, Mr. ROSE, Mr. EWING, Mr. DOOLEY, and Mr. POMEROY) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Federal Insecticide, Fungicide, and Rodenticide Act with respect to the minor use of a pesticide.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Minor Use Crop Protection Act of 1995”.

6       (b) REFERENCE.—Whenever in this Act an amend-  
7       ment or repeal is expressed in terms of an amendment  
8       to, or repeal of, a section or other provision, the reference  
9       shall be considered to be made to a section or other provi-

1 sion of the Federal Insecticide, Fungicide, and  
2 Rodenticide Act.

3 **SEC. 2. MINOR CROP PROTECTION.**

4 (a) DEFINITION.—Section 2 (7 U.S.C. 136) is  
5 amended by adding at the end the following:

6 “(hh) MINOR USE.—The term ‘minor use’ means the  
7 use of a pesticide on an animal, on a commercial agricul-  
8 tural crop or site, or for the protection of public health  
9 where—

10 “(1) the total United States acreage for the  
11 crop is less than 300,000 acres; or

12 “(2) the Administrator, in consultation with the  
13 Secretary of Agriculture, determines that, based on  
14 information provided by an applicant for registration  
15 or a registrant, the use does not provide sufficient  
16 economic incentive to support the initial registration  
17 or continuing registration of a pesticide for such use;  
18 and—

19 “(A) there are insufficient efficacious alter-  
20 native registered pesticides available for the  
21 use; or

22 “(B) the alternatives to the pesticide pose  
23 greater risks to the environment or human  
24 health; or

1           “(C) the pesticide plays or will play, a sig-  
2           nificant part in managing pest resistance; or

3           “(D) the pesticide plays or will play a sig-  
4           nificant part in an integrated pest management  
5           program.

6           The status as a minor use under this subsection  
7           shall continue as long as the Administrator has not  
8           determined that, based on existing data, such use  
9           may cause an unreasonable adverse effect on the en-  
10          vironment and the use otherwise qualifies for such  
11          status.”.

12          (b) EXCLUSIVE USE OF MINOR USE PESTICIDES.—  
13          Section 3(c)(1)(F) (7 U.S.C. 136a(c)(1)(F)) is amended  
14          by redesignating clauses (ii) and (iii) as clauses (iii) and  
15          (iv), respectively, and by inserting after clause (i) the fol-  
16          lowing:

17                   “(ii) The period of exclusive data use  
18                   for data submitted to support the applica-  
19                   tion for the original registration of a pes-  
20                   ticide under clause (i) shall be extended  
21                   one additional year for each 3 minor uses  
22                   registered after the date of enactment of  
23                   this clause and, before the expiration of  
24                   the period of exclusive use under this  
25                   clause, up to a total of 3 additional years

1 for all minor uses registered by the Admin-  
2 istrator if the Administrator in consulta-  
3 tion with the Secretary of Agriculture de-  
4 termines that, based on information pro-  
5 vided by an applicant for registration or a  
6 registrant, that:

7 “(I) there are insufficient effica-  
8 cious alternative registered pesticides  
9 available for the use; or

10 “(II) the alternatives to the pes-  
11 ticide pose greater risks to the envi-  
12 ronment or human health; or

13 “(III) the pesticide plays or will  
14 play a significant part in managing  
15 pest resistance; or

16 “(IV) the pesticide plays or will  
17 play a significant part in an inte-  
18 grated pest management program.

19 The registration of a pesticide for a minor  
20 use on a crop grouping established by the  
21 Administrator shall be considered for pur-  
22 poses of this clause one minor use for each  
23 representative crop for which data are pro-  
24 vided in the crop grouping. Any additional  
25 exclusive use period under this clause shall

1 be modified as appropriate or terminated if  
2 the registrant voluntarily cancels the prod-  
3 uct or deletes from the registration the  
4 minor uses which formed the basis for the  
5 extension of the additional exclusive use  
6 period or if the Administrator determines  
7 that the registrant is not actually market-  
8 ing the product for such minor uses.”.

9 (c) TIME EXTENSIONS FOR DEVELOPMENT OF  
10 MINOR USE DATA.—

11 (1) DATA CALL-IN.—Subparagraph (B) of sec-  
12 tion 3(c)(2) (7 U.S.C. 136a(c)(2)(B)) is amended by  
13 adding at the end the following:

14 “(vi) Upon the request of a registrant  
15 the Administrator shall, in the case of a  
16 minor use, extend the deadline for the pro-  
17 duction of residue chemistry data under  
18 this subparagraph for data are required  
19 solely to support that minor use until the  
20 final deadline for submission of data under  
21 section 4 for the other uses of the pesticide  
22 established as of the date of enactment of  
23 the Minor Use Crop Protection Amend-  
24 ments of 1995, if—

1           “(I) the data to support other  
2           uses of the pesticide on a food are  
3           being provided;

4           “(II) the registrant, in submit-  
5           ting a request for such an extension,  
6           provides a schedule, including interim  
7           dates to measure progress, to assure  
8           that the data production will be com-  
9           pleted before the expiration of the ex-  
10          tension period;

11          “(III) the Administrator has de-  
12          termined that such extension will not  
13          significantly delay the Administrator’s  
14          schedule for issuing a reregistration  
15          eligibility determination required  
16          under section 4; and

17          “(IV) the Administrator has de-  
18          termined in writing that based on ex-  
19          isting data, such extension would not  
20          significantly increase the risk of any  
21          unreasonable adverse effect on the en-  
22          vironment.

23          If the Administrator grants an extension  
24          under this clause, the Administrator shall  
25          monitor the development of the data and

1 shall ensure that the registrant is meeting  
2 the schedule for the production of the  
3 data. If the Administrator determines that  
4 the registrant is not meeting or has not  
5 met the schedule for the production of  
6 such data, the Administrator may proceed  
7 in accordance with clause (iv) regarding  
8 the continued registration of the affected  
9 products with the minor use and shall in-  
10 form the public of such action. Notwith-  
11 standing the provisions of this clause, the  
12 Administrator may take action to modify  
13 or revoke the extension under this clause if  
14 the Administrator determines that the ex-  
15 tension for the minor use may cause an  
16 unreasonable adverse effect on the environ-  
17 ment. In such circumstance, the Adminis-  
18 trator shall provide, in writing to the reg-  
19 istrant, a notice revoking the extension of  
20 time for submission of data. Such data  
21 shall instead be due in accordance with the  
22 date than established by the Administrator  
23 for the submission of the data.”.

24 (2) REREGISTRATION.—Sections 4(d)(4)(B),  
25 4(e)(2)(B), and 4(f)(2)(B) (7 U.S.C. 136a–

1        1(d)(4)(B), (e)(2)(B), and (f)(2)(B)) are each  
2        amended by adding at the end the following: “Upon  
3        the request of a registrant, the Administrator shall,  
4        in the case of a minor use, extend the deadline for  
5        the production of residue chemistry data under this  
6        subparagraph for data required solely to support  
7        that minor use until the final deadline for submis-  
8        sion of data under this section for the other uses of  
9        the pesticide established as of the date of enactment  
10       of the Minor Use Crop Protection Amendments of  
11       1995 if—

12                    “(i) the data to support other uses of  
13                    the pesticide on a food are being provided;

14                    “(ii) the registrant, in submitting a  
15                    request for such an extension provides a  
16                    schedule, including interim dates to meas-  
17                    ure progress, to assure that the data pro-  
18                    duction will be completed before the expi-  
19                    ration of the extension period;

20                    “(iii) the Administrator has deter-  
21                    mined that such extension will not signifi-  
22                    cantly delay the Administrator’s schedule  
23                    for issuing a reregistration eligibility deter-  
24                    mination required under this section; and



1           “(iv) the Administrator has deter-  
2           mined in writing that based on existing  
3           data, such extension would not signifi-  
4           cantly increase the risk of any unreason-  
5           able adverse effect on the environment.

6           If the Administrator grants an extension under  
7           this subparagraph, the Administrator shall  
8           monitor the development of the data and shall  
9           ensure that the registrant is meeting the sched-  
10          ule for the production of the data. If the Ad-  
11          ministrator determines that the registrant is  
12          not meeting or has not met the schedule for the  
13          production of such data, the Administrator may  
14          proceed in accordance with clause (iv) of section  
15          3(c)(2)(B) or other provisions of this section, as  
16          appropriate, regarding the continued registra-  
17          tion of the affected products with the minor use  
18          and shall inform the public of such action. Not-  
19          withstanding the provisions of this subpara-  
20          graph, the Administrator may take action to  
21          modify or revoke the extension under this sub-  
22          paragraph if the Administrator determines that  
23          the extension for the minor use may cause an  
24          unreasonable adverse affect on the environment.  
25          In such circumstance, the Administrator shall

1 provide, in writing to the registrant, a notice re-  
2 voking the extension of time for submission of  
3 data. Such data shall instead be due in accord-  
4 ance with the date then established by the Ad-  
5 ministrator for submission of the data.”.

6 (d) MINOR USE WAIVER.—Section 3(c)(2) (7 U.S.C.  
7 136a(c)(2)) is amended—

8 (1) by inserting “IN GENERAL.—” after “(A)”,  
9 by inserting “ADDITIONAL DATA.—” after “(B)”,  
10 and by inserting “SIMPLIFIED PROCEDURES.—”  
11 after “(C)”, and

12 (2) by adding at the end the following:

13 “(E) MINOR USE WAIVER.—In handling  
14 the registration of a pesticide for a minor use,  
15 the Administrator may waive otherwise applica-  
16 ble data requirements if the Administrator de-  
17 termines that the absence of such data will not  
18 prevent the Administrator from determining—

19 “(i) the incremental risk presented by  
20 the minor use of the pesticide, and

21 “(ii) that such risk, if any, would not  
22 be an unreasonable adverse effect on the  
23 environment.”.

24 (e) EXPEDITING MINOR USE REGISTRATIONS.—Sec-  
25 tion 3(c)(3) (7 U.S.C. 136a(c)(3)) is amended—

1           (1) by inserting after “(A)” the following: “IN  
2       GENERAL.—”;

3           (2) by inserting after “(B)” the following:  
4       “IDENTICAL OR SUBSTANTIALLY SIMILAR.—”; and

5           (3) by adding at the end the following:

6               “(C) MINOR USE REGISTRATION.—

7                   “(i) The Administrator shall, as expe-  
8                   ditiously as possible, review and act on any  
9                   complete application—

10                       “(I) that proposes the initial reg-  
11                       istration of a new pesticide active in-  
12                       gredient if the active ingredient is  
13                       proposed to be registered solely for  
14                       minor uses, or proposes a registration  
15                       amendment solely for minor uses to  
16                       an existing registration, or

17                       “(II) for a registration or a reg-  
18                       istration amendment that proposes  
19                       significant minor uses.

20                       “(ii) For the purposes of clause (i)—

21                           “(I) the term ‘as expeditiously as  
22                           possible’ means that the Adminis-  
23                           trator shall to the greatest extent  
24                           practicable complete a review and  
25                           evaluation of all data, submitted with

1 a complete application, within 12  
2 months after the submission of the  
3 complete application, and the failure  
4 of the Administrator to complete such  
5 a review and evaluation under clause  
6 (i) shall not be subject to judicial re-  
7 view, and

8 “(II) the term ‘significant minor  
9 uses’ means 3 or more minor uses  
10 proposed for every non-minor use, a  
11 minor use that would, in the judgment  
12 of the Administrator, serve as a re-  
13 placement for any use which has been  
14 canceled in the 5 years preceding the  
15 receipt of the application, or a minor  
16 use that in the opinion of the Admin-  
17 istrator would avoid the reissuance of  
18 an emergency exemption under section  
19 18 for that minor use.

20 “(D) ADEQUATE TIME FOR SUBMISSION OF  
21 MINOR USE DATA.—If a registrant makes a re-  
22 quest for a minor use waiver, regarding data re-  
23 quired by the Administrator, pursuant to para-  
24 graph (2)(E), and if the Administrator denies  
25 in whole or in part such data waiver request,

1 the registrant shall have a full time period for  
2 providing such data. For purposes of this sub-  
3 paragraph, the term ‘full time period’ means  
4 the time period originally established by the Ad-  
5 ministrator for submission of such data, begin-  
6 ning with the date of receipt by the registrant  
7 of the Administrator’s notice of denial.”.

8 (f) TEMPORARY EXTENSION OF REGISTRATION FOR  
9 UNSUPPORTED MINOR USES.—

10 (1) REREGISTRATION.—

11 (A) Sections 4(d)(6) and 4(f)(3) (7 U.S.C.  
12 136a–1(d)(6) and (f)(3)) are each amended by  
13 adding at the end the following: “If the reg-  
14 istrant does not commit to support a specific  
15 minor use of the pesticide, but is supporting  
16 and providing data in a timely and adequate  
17 fashion to support uses of the pesticide on a  
18 food, or if all uses of the pesticide are nonfood  
19 uses and the registrant does not commit to sup-  
20 port a specific minor use of the pesticide but is  
21 supporting and providing data in a timely and  
22 adequate fashion to support other nonfood uses  
23 of the pesticide, the Administrator, at the writ-  
24 ten request of the registrant, shall not take any  
25 action pursuant to this paragraph in regard to

1 such unsupported minor use until the final  
2 deadline established as of the date of enactment  
3 of the Minor Use Crop Protection Amendments  
4 of 1995, for the submission of data under this  
5 section for the supported uses identified pursu-  
6 ant to this paragraph unless the Administrator  
7 determines that the absence of the data is sig-  
8 nificant enough to cause human health or envi-  
9 ronmental concerns. On such a determination  
10 the Administrator may refuse the request for  
11 extension by the registrant. Upon receipt of the  
12 request from the registrant, the Administrator  
13 shall publish in the Federal Register a notice of  
14 the receipt of the request and the effective date  
15 upon which the uses not being supported will be  
16 voluntarily deleted from the registration pursu-  
17 ant to section 6(f)(1). If the Administrator  
18 grants an extension under this paragraph, the  
19 Administrator shall monitor the development of  
20 the data for the uses being supported and shall  
21 ensure that the registrant is meeting the sched-  
22 ule for the production of such data. If the Ad-  
23 ministrator determines that the registrant is  
24 not meeting or has not met the schedule for the  
25 production of such data, the Administrator may

1 proceed in accordance with clause (iv) of section  
2 3(c)(2)(B) regarding the continued registration  
3 of the affected products with the minor and  
4 other uses and shall inform the public of such  
5 action in accordance with section 6(f)(2). Not-  
6 withstanding the provision of this subpara-  
7 graph, the Administrator may deny, modify, or  
8 revoke the temporary extension under this para-  
9 graph if the Administrator determines that the  
10 continuation of the minor use may cause an un-  
11 reasonable adverse effect on the environment.  
12 In the event of modification or revocation the  
13 Administrator shall provide, in writing, to the  
14 registrant, a notice revoking the temporary ex-  
15 tension and establish a new effective date by  
16 which the minor use shall be deleted from the  
17 registration.

18 (B) Section 4(e)(3)(A) (7 U.S.C. 136a-  
19 (e)(3)(A)) is amended by adding at the end the  
20 following: “If the registrant does not commit to  
21 support a specific minor use of the pesticide,  
22 but is supporting and providing data in a timely  
23 and adequate fashion to support uses of the  
24 pesticide on a food, or if all uses of the pes-  
25 ticide are nonfood uses and the registrant does

1 not commit to support a specific minor use of  
2 the pesticide but is supporting and providing  
3 data in a timely and adequate fashion to sup-  
4 port other nonfood uses of the pesticide, the  
5 Administrator, at the written request of the  
6 registrant, shall not take any action pursuant  
7 to this subparagraph in regard to such unsup-  
8 ported minor use until the final deadline estab-  
9 lished as of the date of enactment of the Minor  
10 Use Crop Protection Amendments of 1995, for  
11 the submission of data under this section for  
12 the supported uses identified pursuant to this  
13 subparagraph unless the Administrator deter-  
14 mines that the absence of the data is significant  
15 enough to cause human health or environmental  
16 concerns. On the basis of such determination  
17 the Administrator may refuse the request for  
18 extension by the registrant. Upon receipt of the  
19 request from the registrant, the Administrator  
20 shall publish in the Federal Register a notice  
21 of the receipt of the request and the effective  
22 date upon which the uses not being supported  
23 will be voluntarily deleted from the registration  
24 pursuant to section 6(f)(1). If the Adminis-  
25 trator grants an extension under this subpara-



1 graph, the Administrator shall monitor the de-  
2 velopment of the data for the uses being sup-  
3 ported and shall ensure that the registrant is  
4 meeting the schedule for the production of such  
5 data. If the Administrator determines that the  
6 registrant is not meeting or has not met the  
7 schedule for the production of such data, the  
8 Administrator may proceed in accordance with  
9 clause (iv) of section 3(c)(2)(B) regarding the  
10 continued registration of the affected products  
11 with the minor and other uses and shall inform  
12 the public of such action in accordance with  
13 section 6(f)(2). Notwithstanding the provisions  
14 of this subparagraph, the Administrator may  
15 deny, modify, or revoke the temporary extension  
16 under this subparagraph if the Administrator  
17 determines that the continuation of the minor  
18 use may cause an unreasonable adverse effect  
19 on the environment. In the event of modifica-  
20 tion or revocation, the Administrator shall pro-  
21 vide, in writing, to the registrant, a notice re-  
22 voking the temporary extension and establish a  
23 new effective date by which the minor use shall  
24 be deleted from the registration.

1           (2) DATA.—Section 3(c)(2)(B) (7 U.S.C.  
2       136a(c)(2)(B)), as amended by subsection (c), is  
3       further amended by adding at the end the following:

4                   “(vii) If the registrant does not com-  
5                   mit to support a specific minor use of the  
6                   pesticide, but is supporting and providing  
7                   data in a timely and adequate fashion to  
8                   support uses of the pesticide on a food, or  
9                   if all uses of the pesticide are nonfood uses  
10                  and the registrant does not commit to sup-  
11                  port a specific minor use of the pesticide  
12                  but is supporting and providing data in a  
13                  timely and adequate fashion to support  
14                  other nonfood uses of the pesticide, the  
15                  Administrator, at the written request of  
16                  the registrant, shall not take any action  
17                  pursuant to this clause in regard to such  
18                  unsupported minor use until the final  
19                  deadline established as of the date of en-  
20                  actment of the Minor Use Crop Protection  
21                  Amendments of 1995, for the submission  
22                  of data under section 4 for the supported  
23                  uses identified pursuant to this clause un-  
24                  less the Administrator determines that the  
25                  absence of the data is significant enough to

1           cause human health or environmental con-  
2           cerns. On the basis of such determination,  
3           the Administrator may refuse the request  
4           for extension by the registrant. Upon re-  
5           ceipt of the request from the registrant,  
6           the Administrator shall publish in the Fed-  
7           eral Register a notice of the receipt of the  
8           request and the effective date upon which  
9           the uses not being supported will be volun-  
10          tarily deleted from the registration pursu-  
11          ant to section 6(f)(1). If the Administrator  
12          grants an extension under this clause, the  
13          Administrator shall monitor the develop-  
14          ment of the data for the uses being sup-  
15          ported and shall ensure that the registrant  
16          is meeting the schedule for the production  
17          of such data. If the Administrator deter-  
18          mines that the registrant is not meeting or  
19          has not met the schedule for the produc-  
20          tion of such data, the Administrator may  
21          proceed in accordance with clause (iv) of  
22          this subparagraph regarding the continued  
23          registration of the affected products with  
24          the minor and other uses and shall inform  
25          the public of such action in accordance

1 with section 6(f)(2). Notwithstanding the  
2 provisions of this clause, the Administrator  
3 may deny, modify, or revoke the temporary  
4 extension under this subparagraph if the  
5 Administrator determines that the continu-  
6 ation of the minor use may cause an un-  
7 reasonable adverse effect on the environ-  
8 ment. In the event of modification or rev-  
9 ocation, the Administrator shall provide, in  
10 writing, to the registrant, a notice revoking  
11 the temporary extension and establish a  
12 new effective date by which the minor use  
13 shall be deleted from the registration.

14 (g) UTILIZATION OF DATA FOR VOLUNTARILY CAN-  
15 CELED CHEMICALS.—Section 6(f) (7 U.S.C. 136d) is  
16 amended by adding at the end the following:

17 “(4) UTILIZATION OF DATA FOR VOLUNTARILY  
18 CANCELED CHEMICALS.—When an application is  
19 filed with the Administrator for the registration of  
20 a pesticide for a minor use and another registrant  
21 subsequently voluntarily cancels its registration for  
22 an identical or substantially similar pesticide for an  
23 identical or substantially similar use, the Adminis-  
24 trator shall process, review, and evaluate the pend-  
25 ing application as if the voluntary cancellation had

1 not yet taken place, except that the Administrator  
2 shall not take such action if the Administrator deter-  
3 mines that such minor use may cause an unreason-  
4 able adverse effect on the environment. In order to  
5 rely on this paragraph, the applicant must certify  
6 that it agrees to satisfy any outstanding data re-  
7 quirements necessary to support the reregistration of  
8 the pesticide in accordance with the data submission  
9 schedule established by the Administrator.”.

10 (h) ENVIRONMENTAL PROTECTION AGENCY MINOR  
11 USE PROGRAM.—The Federal Insecticide, Fungicide, and  
12 Rodenticide Act (7 U.S.C. 136 et seq.) is amended by re-  
13 designating sections 30 and 31 as sections 32 and 33, re-  
14 spectively and adding after section 29 the following:

15 **“SEC. 30. ENVIRONMENTAL PROTECTION AGENCY MINOR**  
16 **USE PROGRAM.**

17 “The Administrator shall assure coordination of  
18 minor use issues through the establishment of a minor use  
19 program within the Office of Pesticide Programs. Such of-  
20 fice shall be responsible for coordinating the development  
21 of minor use programs and policies and consulting with  
22 growers regarding minor use issues and registrations and  
23 amendments which are submitted to the Environmental  
24 Protection Agency.”.

1 (i) DEPARTMENT OF AGRICULTURE MINOR USE  
2 PROGRAM.—The Federal Insecticide, Fungicide, and  
3 Rodenticide Act (7 U.S.C. 136 et seq.), as amended by  
4 subsection (h), is amended by adding after section 30 the  
5 following:

6 **“SEC. 31. DEPARTMENT OF AGRICULTURE MINOR USE PRO-**  
7 **GRAM.**

8 “(a) IN GENERAL.—The Secretary of Agriculture  
9 (hereinafter in this section referred to as the ‘Secretary’)  
10 shall ensure the coordination of the responsibilities of the  
11 Department of Agriculture related to minor uses of pes-  
12 ticides, including—

13 “(1) carrying out the Inter-Regional Project  
14 Number 4 (IR-4) as described in section 2(e) of the  
15 Act entitled ‘An Act to facilitate the work of the De-  
16 partment of Agriculture, and for other purposes’ (7  
17 U.S.C. 4501(e)) and the national pesticide resistance  
18 monitoring program established under section 1651  
19 of the Food, Agriculture, Conservation, and Trade  
20 Act of 1990 (7 U.S.C. 5882);

21 “(2) supporting integrated pest management  
22 research;

23 “(3) consulting with growers to develop data for  
24 minor uses; and

1           “(4) providing assistance for minor use reg-  
2           istrations, tolerances, and reregistrations with the  
3           Environmental Protection Agency.

4           “(b) MATCHING FUND PROGRAM.—

5           “(1) ESTABLISHMENT.—The Secretary of Agri-  
6           culture, in consultation with the Administrator, shall  
7           establish and administer a minor use matching fund  
8           program. The matching fund program shall be uti-  
9           lized to ensure the continued availability of minor  
10          use crop protection chemical, including the develop-  
11          ment of data to support minor use pesticide registra-  
12          tions and reregistrations. Access to the matching  
13          fund program shall be available to any entity which  
14          desires to develop data to support minor use reg-  
15          istrations. Priority for access to the fund shall be  
16          given those entities that do not directly receive funds  
17          from the sale of products registered on minor uses.  
18          Any entity that seeks such funding under this para-  
19          graph shall be required to match such funds with an  
20          equal amount of its own funds. Any data developed  
21          through the matching fund program shall be jointly  
22          owned by the Department of Agriculture and by the  
23          entity that receives such funding. Any data devel-  
24          oped under this subsection shall be subject to the  
25          provisions of section 3(c)(1)(F). All compensation

1 received by the Department of Agriculture in return  
2 for the use of such data under the matching fund  
3 program shall be returned to a revolving fund which  
4 will support the matching fund program.

5 “(2) AUTHORIZATION.—There is authorized to  
6 be appropriated for the revolving fund for the  
7 matching fund program an annual sum not to ex-  
8 ceed \$10,000,000.”.

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